

FILED

OCT 02 2013

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA
BY _____ DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SERGIO CAIRE-DAVILA,

Defendant.

2:12-CR-476-JAD-(CWH)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on October 2, 2013, defendant SERGIO CAIRE-DAVILA pled guilty to a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF No. ____; Plea Agreement, ECF No. ____.

This Court finds defendant SERGIO CAIRE-DAVILA agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Criminal Indictment and the Plea Agreement. Criminal Indictment, ECF No. ____; Plea Agreement, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment, the Plea Agreement, and the offense to which defendant SERGIO CAIRE-DAVILA pled guilty. Criminal Indictment, ECF No. ____; Plea Agreement, ECF No. ____.

...

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code,
2 Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 3 1) an Iver Johnson, .25 caliber handgun, bearing serial number EE04803; and
4 2) any and all ammunition
5 (all of which constitutes "property").

6 This Court finds the United States of America is now entitled to, and should, reduce the
7 aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
9 United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
11 SERGIO CAIRE-DAVILA in the aforementioned property is forfeited and is vested in the United
12 States of America and shall be safely held by the United States of America until further order of the
13 Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
15 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
16 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
17 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
18 the name and contact Indictment for the government attorney to be served with the petition, pursuant
19 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
21 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
23 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
24 following address at the time of filing:

25 ...

26 ...

1 Daniel D. Hollingsworth
2 Assistant United States Attorney
3 Michael A. Humphreys
4 Assistant United States Attorney
5 Lloyd D. George United States Courthouse
6 333 Las Vegas Boulevard South, Suite 5000
7 Las Vegas, Nevada 89101

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 2nd day of October, 2013.

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UNITED STATES DISTRICT JUDGE